

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.**

In the Matter of:	)	
	)	
Request for Waiver	)	
	)	CC Docket No. 02-6
by	)	
	)	
Randolph County School District	)	
Elkins, WV	)	

TO: Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Randolph County School District ("Randolph"), Billed Entity # 126744, respectfully requests the Federal Communications Commission ("FCC" or "Commission") grant it a Waiver of the FY2018 Form 471 filing deadline for FCC Form 471 Application # 181042124. This Request for Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.<sup>1</sup>

**Contact Information:**

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<sup>1</sup> 47 C.F.R. §§ 54.719–54.723

## **STATEMENT IN SUPPORT OF WAIVER**

For E-rate Funding Year 2018 Randolph filed its FCC Form 471 application for Category One (“C1”) services within the window, but due to miscommunications and/or misunderstandings between the Randolph technology director and Julia Benincosa Legg, the West Virginia State E-rate coordinator, its Category Two (“C2”) application #181042124 was not filed until April 3, 2018, twelve (12) days after the close of the window.

The technology director at Randolph is new to her position and FY2018 was her first year doing E-rate; since she was unfamiliar with the process she sought guidance from Ms. Benincosa Legg. Primarily their communications regarded Randolph’s contemplated C2 projects, so initially the technology director declined to give authorization for Randolph’s E-rate Consultant (Educational Funding Group Inc., CRN 16043587, “Consultant”) to bid or file for C2 on Randolph’s behalf.

In the course of their communications Ms. Benincosa Legg advised the technology director that Randolph could make C2 purchases off of the West Virginia State Master Contract, and in January 2018 even helped arrange a walkthrough with the two State Master NET vendors. After receiving proposals Randolph conducted a mini-bid evaluation, and selected a vendor, but being new to E-rate and unfamiliar with the process, the technology director thought that Ms. Benincosa Legg would be filing the C2 FCC Form 471 on Randolph’s behalf, which turned out not to be the case.

Unfortunately, the technology director did not become aware that Randolph’s C2 application had not been filed until after the March 22, 2018 filing deadline. She promptly

contacted the Consultant to see what could be done; the Consultant then prepared Form 471 Application #181042124, which was certified by Randolph on April 3, 2018.

The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and for the past number of years has customarily waived the filing deadline for late filed Forms 471 that were filed within 14 days of the close of the Window. *See, Requests For Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al* CC Docket No. 02-6, Order 25FCC Rcd 9256,9259, para 8 (2010) and more recently, *Streamlined Resolution of Requests Related to Action by the Universal Service Administrative Company, Dated May 31, 2017*.

Since Form 471 #181042124 was filed less than 14 days after the close of the Window, Randolph respectfully requests the Commission to grant it a Waiver of the FY2018 filing deadline and allow Form 471 #181042124 considered for funding as though timely submitted within the Window. Doing so will best serve the public interest and the interests of the students of Randolph County.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler

On behalf of Educational Funding Group, Inc.  
E-rate Consultant to Randolph County School District